

# **CITY OF SAN DIEGO COUNCIL DOCKET**



## **COUNCIL PRESIDENT**

**Sherri Lightner • First District**

## **COUNCIL PRESIDENT PRO TEM**

**Marti Emerald • Ninth District**

## **COUNCIL MEMBERS**

**Lorie Zapf • Second District**

**Todd Gloria • Third District**

**Myrtle Cole • Fourth District**

**Mark Kersey • Fifth District**

**Chris Cate • Sixth District**

**Scott Sherman • Seventh District**

**David Alvarez • Eighth District**

**Andrea Tevlin  
Independent  
Budget Analyst**

**Jan Goldsmith  
City Attorney**

**Liz Maland  
City Clerk**

<b>Council Chambers, 12<sup>th</sup> Floor, City Administration Building</b>
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**Tuesday, November 3, 2015**

**AGENDA FOR THE  
REGULAR COUNCIL MEETING OF  
TUESDAY, NOVEMBER 3, 2015, AT 10:00 AM  
CITY ADMINISTRATION BUILDING  
COUNCIL CHAMBERS – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sanidiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

**NOTE:** The City Council will convene for a Special Council meeting at 9:00 a.m., to provide the public with the opportunity to comment on the Closed Session agenda then the Council will adjourn into Closed Session from 9:00 a.m. - 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk. The public portion of the meeting will begin at 10:00 a.m.

**ROLL CALL**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF COUNCIL MINUTES**

The Council Minutes of the following meetings will be approved by Unanimous Consent unless pulled for discussion:

09/28/2015 - Adjourned  
09/29/2015 - Adjourned  
10/05/2015  
10/06/2015

**PROCLAMATIONS/CEREMONIAL ITEMS**

**NOTE:** The following Proclamations will be presented in Council Chambers and approved by Unanimous Consent unless pulled for discussion.

ITEM-30: Jackie O'Connor Day.

**PRESENTED BY COUNCILMEMBER GLORIA AND COUNCIL PRESIDENT PROTEM EMERALD:**

Proclaiming November 3, 2015, to be "Jackie O'Connor Day" in the City of San Diego.

ITEM-31: 30th Anniversary of the Rancho Family YMCA.

**PRESENTED BY COUNCILMEMBER KERSEY AND COUNCILMEMBER CATE:**

Proclaiming November 3, 2015, to be the "30th Anniversary of the Rancho Family YMCA" in the City of San Diego.

ITEM-32: Marla B. Black Day.

**PRESENTED BY COUNCILMEMBER ALVAREZ:**

Proclaiming November 3, 2015, to be "Marla B. Black Day" in the City of San Diego.

ITEM-33: Maruta R. Gardner Day.

**PRESENTED BY COUNCILMEMBER ZAPF:**

Proclaiming November 3, 2015, to be "Maruta R. Gardner Day" in the City of San Diego.

**NON-AGENDA PUBLIC COMMENT**

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6.2, of the San Diego Municipal Code, comments are limited to two minutes per speaker. Speakers may not allocate their time to other speakers. If there are eight (8) or more speakers on a single issue, the maximum time allotted for that issue will be sixteen (16) minutes. Non-Agenda Public Comment is limited to 30 minutes during the Tuesday morning Council session. Any remaining speakers will be given an opportunity to speak after Council concludes the remaining agenda items for that day. Speaker order will generally be decided on a first-come, first-served basis. However, in the event that there are more than 15 Non-Agenda Public Comment speakers on a particular Tuesday, priority may be given to speakers who have not addressed the legislative body during "Non-Agenda Public Comment" at the last regularly scheduled Council meeting.

**MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT**

**UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)**

**SPECIAL ORDERS OF BUSINESS**

None.

**ADOPTION AGENDA, CONSENT ITEMS**

The Consent items listed beginning on the next page are considered to be routine, and the environmental documents have been considered. These items are indicated on the docket by a preceding asterisk (\*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak from prior to the start of the meeting.

**REQUESTS FOR CONTINUANCE**

The Council will consider requests for continuance in the morning or afternoon, based on when the item was noticed to be heard.

**ADOPTION AGENDA, CONSENT ITEMS**

**ORDINANCES INTRODUCED AT A PREVIOUS MEETING, READY FOR DISPENSING WITH THE READING AND ADOPTION:**

- \* ITEM-50: Request to Exempt two Program Manager positions from the Classified Service in Council Administration.

**ITEM DESCRIPTION:**

The first Program Manager position will be responsible for overseeing Information Technology (IT)-related functions of the City Council, Council Administration, and Office of the Independent Budget Analyst which includes administering IT policy, recommending critical procedural and functional IT changes, developing and implementing IT-related contracts and performing contract management; and developing and monitoring the IT budgets and inventory for the City Council, Council Administration, and Office of the Independent Budget Analyst.

The second Program Manager position will be responsible for implementing current policy and procedures and municipal codes related to the City Council Committees and recommending revisions or developing new procedures as needed in coordination with the Chair of the appropriate committee.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 10/20/2015, Item 50. (Council voted 9-0):

(O-2016-27)

Receiving and reviewing a memorandum from Personnel Director Hadi Dehghani, dated September 4, 2015, which documents that, on September 3, 2015, the City's Civil Service Commission reviewed and favorably commented on a proposal from the Council President to exempt two Program Manager positions from the Classified Service. The first Program Manager will be responsible for overseeing IT-related functions of the City Council, Council Administration, and Office of the Independent Budget Analyst. The second Program Manager will be responsible for reviewing current policies and procedures and San Diego Municipal Codes related to City Council Committees and recommending revisions or new procedures, as needed;

Declaring that pursuant to Charter Section 117(a)(17), with the Civil Service Commission's review and approval, the Council now exempts from the Classified Service and declares to be in the Unclassified Service of the City two Program Manager positions, performing the duties set forth in the September 4, 2015 memorandum from Personnel Director Hadi Dehghani to the Honorable Council President and Council, and in this ordinance.

\* ITEM-51: Multiple Award Construction Contract (MACC) Program Streamlining Measure Implementation.

**ITEM DESCRIPTION:**

This action is to amend the San Diego Municipal Code (SDMC) to increase the Mayor's authority to award task orders for the Multiple Award Construction Contract (MACC) Program from \$10,000,000 to \$30,000,000, to remove the June 30, 2017, sunset date of the original pilot program, and amend the San Diego Municipal Code to remove the three (3) year award limit.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 10/19/2015, Item 151. (Council voted 9-0):

(O-2016-26)

Amending Chapter 2, Article 2, Division 33, of the San Diego Municipal Code (SDMC) by Amending Section 22.3310, relating to Multiple Award Construction Contract (MACC) Program Streamlining Measure Implementation.

- \* ITEM-52: An Ordinance Amending Chapter 2, Article 6, Division 19, of the San Diego Municipal Code by amending Sections 26.1902 and 26.1903, Relating to the Composition and Reporting Requirements for the Commission on Gang Prevention and Intervention.

**ITEM DESCRIPTION:**

Approval of an ordinance amending Chapter 2, Article 6, Division 19, of the San Diego Municipal Code by amending Section 26.1902 and 26.1903, relating to the composition and reporting requirements for the Commission on Gang Prevention and Intervention. The change will add a seat for the United States Attorney's office as an office holder on the commission and require a semi-annual report to the Public Safety and Livable Neighborhood Committee.

**CITY COUNCIL'S RECOMMENDATION:**

Adopt the following ordinance which was introduced on 10/19/2015, Item 152. (Council voted 9-0):

(O-2016-11)

Amending Chapter 2, Article 6, Division 19, of the San Diego Municipal Code (SDMC) by Amending Sections 26.1902 and 26.1903, relating to the Composition and Reporting Requirements for the Commission on Gang Prevention and Intervention.

\* ITEM-53: This item has been removed from today's docket. (Rev. 10/29/15)



**ADOPTION AGENDA, CONSENT ITEMS**

**RESOLUTIONS:**

- \* ITEM-100: Job Order Contract For Work on Private Property for Utilities Undergrounding Program Projects. (Citywide.)

**ITEM DESCRIPTION:**

This action will authorize the City to advertise and award a Job Order Contract (JOC) not to exceed \$9,000,000 over a two year period. This JOC will support the Utilities Undergrounding Program by performing work on private properties necessary to connect these properties to the newly converted underground utility system.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-188)

Approving the Technical Specifications for a Job Order Contract (JOC) for utilities undergrounding work on private property as part of the Utilities Undergrounding Project;

Authorizing the Mayor, or his designee, to execute a JOC with the lowest responsible and reliable bidder for an amount not to exceed \$9,000,000 over a two year period, under the terms and conditions set forth in the Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditure are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend funds in an amount not to exceed \$9,000,000 over a two year period for the purpose of funding this JOC, contingent upon the adoption of the Annual Appropriation Ordinance for the applicable fiscal year and contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that funds necessary for expenditures are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$10,000 from Fund No. 200217, Underground Surcharge Fund, Transportation & Storm Water Department, solely and exclusively, to provide funds meeting minimum contract requirements for the Project.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Funds are available in Fund No. 200217, Underground Surcharge Fund. The City agrees to issue a guaranteed minimum of \$10,000 in projects to the contractor. Funding for the \$10,000 minimum guarantee will be reserved from Fund No. 200217, Underground Surcharge Fund.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

This item was heard at the Environment Committee meeting on October 7, 2015.

ACTION: Motion by Councilmember Cate, second by Chair Alvarez, to recommend Council adopt the resolution.

VOTE: 3-0; Alvarez-yea, Gloria-yea, Cate-yea, Emerald-not present.

McFadden/Gomez

Primary Contact\Phone: Hasan Yousef\619-533-3012, MS 608

Secondary Contact\Phone: Jim Nabong\619-533-3721, MS 608

City Attorney Contact: Gerrity, Ryan P.

- \* ITEM-101: Executing the Construction Management Services Agreement with AECOM Technical Services, Inc., for the MBC Chemical System Improvement Phase II and MBC Odor Control Facilities Upgrades Projects. (District 6.)

**ITEM DESCRIPTION:**

Council Authorization to execute a contract with AECOM Technical Services, Inc., for professional construction management services for the MBC Chemical System Improvement Phase 2 and MBC Odor Control Facilities Upgrades Projects.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-158)

Authorizing the Mayor, or his designee, to execute an Agreement with AECOM Technical Services, Inc., for professional construction management services in CIP S-00323, MBC Odor Control Facility Upgrades, in an amount not to exceed \$398,959, and in CIP A-BO.00001, Annual Allocation - Metro Treatment Plants (B-10178), in an amount not to exceed \$400,274;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$398,959 from CIP S-00323, MBC Odor Control Facility Upgrades Fund 700009, Metro Sewer CIP, and \$400,274 from CIP A-BO.00001, Annual Allocation - Metro Treatment Plants (B-10178), Fund 700009, Metro Sewer CIP, for professional construction management services, and contingent upon the City Comptroller furnishing one or more certificates certifying that the funds necessary for expenditures are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2016-159)

Declaring that the AECOM Technical Services, Inc., for professional construction management services is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15302, and that an exception to the exemption does not apply.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The total estimated Construction Management Service cost is \$799,233. Enterprise funding of \$398,959 is available from CIP S-00323, MBC Odor Control Facility Upgrades, Fund 700009, Metro Sewer CIP, and \$400,274 from CIP A-BO.00001, Annual Allocation - Metro Treatment Plants (B-10178), Fund 700009, Metro Sewer CIP, for this purpose. This Agreement is to be funded in FY2016. No future funding is anticipated on this Agreement.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

This item was heard at the Infrastructure Committee meeting on October 21, 2015.

**ACTION:** Motion by Councilmember Emerald, second by Vice-Chair Cole, to recommend Council adopt the resolution and agreement.

**VOTE:** 4-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-yea.

Gibson/LoMedico

Primary Contact\Phone: Myrna Dayton\858-627-3201, MS 18

Secondary Contact\Phone: Michael Marks\858-627-3253, MS 18

City Attorney Contact: Leone, Christine M.

- \* ITEM-102: Dissolution of the Local Enforcement Agency (LEA) Hearing Panel and Adoption of LEA Administrative Hearing Procedures Manual.

**ITEM DESCRIPTION:**

This item is to disband the Local Enforcement Agency (LEA) Independent Hearing Panel established by City Council on May 4, 1998, under Resolution R-290036 and approve City of San Diego Solid Waste Local Enforcement Agency Administrative Hearing Procedures, providing for independent hearing officers for LEA administrative hearings as authorized by the California Public Resources Code. California Public Resources Code Section 44308 alternatively authorizes the City to provide for independent hearing officers for LEA administrative hearings.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-180 Cor. Copy 2) (Rev. 11/2/15)

Disbanding the Local Enforcement Agency (LEA) Independent Hearing Panel established pursuant to San Diego Resolution R-290036 (May 4, 1998); (Rev. 11/2/15)

Authorizing the Development Services Director, or his designee, to appoint independent hearing officers as provided in Public Resources Code Section 44308(d) in accordance with the qualifications and procedures for appointment provided in the City of San Diego Solid Waste Local Enforcement Agency Administrative Hearing Procedures, as part of the City's LEA Enforcement Program Plan.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:** None.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

This item was heard at the Environment Committee meeting on October 7, 2015.

**ACTION:** Motion by Councilmember Cate, second by Chair Alvarez, to recommend Council adopt the resolution.

**VOTE:** 3-0; Alvarez-yea, Gloria-yea, Cate-yea, Emerald-not present.

Vacchi/Graham

Primary Contact\Phone: William Prinz\619-533-3696  
Secondary Contact\Phone: Lonnie Eads\619-533-3692  
City Attorney Contact: Dugard, Prescilla

- \* ITEM-103: State of California Grant Application for the Rehabilitation of Brown Field Runway 8L-26R, Phase II. (Otay Mesa Community Area. District 8.)

**ITEM DESCRIPTION:**

Authorize the reimbursement grant application to the State of California, Department of Transportation, Division of Aeronautics (Caltrans) for an amount of \$218,731.90 for the Rehabilitation of Brown Field Runway 8L-26R, Phase II, and to accept, appropriate and expend the funds if the grant is secured.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-148)

Authorizing the Mayor, or his designee, to make an application to the State of California, Department of Transportation, Division of Aeronautics (Caltrans), and take all necessary actions to secure funding for an amount not to exceed \$218,731.90, in Reimbursement Grant for the construction of Brown Field Airport (SDM) Runway 8L/26R Rehabilitation, Phase II;

Authorizing the Chief Financial Officer to accept, appropriate, and expend an amount not to exceed \$218,731.90, if the grant funding is secured;

Authorizing the Chief Financial Officer to establish a special interest-bearing account for the grant funds, if required;

Authorizing the Chief Financial Officer to increase the Capital Improvements Program Budget in A-AA.00002, Airport Assets Annual Allocation Brown Field, and appropriate and expend an amount not to exceed \$218,731.90, Caltrans Reimbursement Grant for the construction of Brown Field Airport (SDM) Runway 8L/26R Rehabilitation, Phase II, contingent upon the receipt of a fully executed Grant Agreement.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The total cost to rehabilitate the full length of Brown Field Runway 8L-26R is \$14,371,056 - \$1,315,500 for design and \$13,055,556 for construction. The design costs were covered by a \$731,500 FAA Grant and \$584,000 City match. To cover the construction costs, \$11,750,000 of FAA Grant and \$1,305,556 of City match were previously approved.

The total cost for Phase II of construction is \$4,860,709. The FAA Grant of \$4,374,638 covers 90 percent of the total project cost. The Caltrans Grant, if secured, will cover up to five (5) percent of the FAA Grant in the amount of \$218,731.90, or 4.5 percent of the total project cost. The City's match, should the Caltrans grant be secured, is \$267,339.10, or 5.5 percent of the total project cost. Should the Caltrans Grant not be secured, the City's match is \$486,071, or ten (10) percent of the total project cost.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

Council passed Resolution No. R-307165 on December 15, 2011, to authorize the application to the FAA a Reimbursement Grant of \$731,500 for the design to rehabilitate the full length of Brown Field Runway 8L-26R.

Council passed Resolution No. R-309128 on July 30, 2014, to authorize the application to the FAA a Reimbursement Grant of \$11,750,000 for 90 percent of the construction cost to rehabilitate the entire Brown Field Runway 8L-26R.

Thompson/Villa

Primary Contact\Phone: Wayne Reiter\858-573-1436, MS 14

Secondary Contact\Phone: Rod Propst\858-573-1441, MS 14

City Attorney Contact: De Lara Jr., Pedro

\* ITEM-104: K Street One-Way Alley Conversion. (Southeastern Community Area. District 8.)

**ITEM DESCRIPTION:**

A resolution to convert the alley north of K Street between 31st Street and 32nd Street to a one way operation in the eastbound direction in the community of Southeastern.

**STAFF'S RECOMMENDATION:**

Adopt the following resolutions:

Subitem-A: (R-2016-189)

Authorizing the conversion of the alley north of K Street between 31st Street and 32nd Street to a one-way eastbound operation, in accordance with San Diego Municipal Code Section 82.19;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$800 from Fund 100000 - General Fund, Transportation & Storm Water Department - Street Division's Operating Budget, for the installation of the necessary signs and pavement markings to convert the alley to a one-way operation.

Subitem-B: (R-2016-197)

Declaring that the conversion of the alley north of K Street between 31st Street and 32nd Street to a one-way eastbound operation is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

The signs required to convert the alley to a one-way will be installed by the City of San Diego, Transportation & Storm Water, Street Division at a cost of \$800. Funds are available in Street Division Operating Budget for the installation of the necessary signs.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:** None.

McFadden/Gomez

Primary Contact\Phone: Gary Pence\619-533-3184, MS 609  
Secondary Contact\Phone: Linda Marabian\619-533-3082, MS 608  
City Attorney Contact: Gerrity, Ryan P.



- \* ITEM-105: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2015-719)

Declaring a continued state of emergency to persist relative to the escalated discharge of raw sewage from Tijuana, Mexico, pursuant to California Government Code Section 8630;

Authorizing the Mayor, or his designee, to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage;

Declaring that the measures previously taken in accordance with Resolution Number R-282544 shall continue to have full force and effect.

- \* ITEM-106: Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City.

**TODAY'S ACTION IS:**

Adopt the following resolution:

(R-2016-104)

Declaring a continued state of emergency to exist due to severe shortage of affordable housing in the City of San Diego, pursuant to California Government Code Section 8630;

Declaring that the measures previously taken by the City Council in Resolution Number R-296982 shall continue to have full force and effect.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS**  
**ORDINANCES TO BE INTRODUCED:**

**This item may be taken in the morning session if time permits.**

ITEM-330: Solar Power & Services Agreement for City Sites. (Citywide.)

**ITEM DESCRIPTION:**

The Environmental Services Department is proposing to install solar photovoltaic energy generation systems at 25 City sites, which consists of 9 building rooftop and 19 parking canopy type systems. All of the systems will be installed, owned and operated through a third party Solar Power and Services Agreement with SunEdison Government Solutions, LLC. Completion of this project will result in significant annual energy cost savings for the City. A planned second phase of solar installations will include an additional 40 sites.

**STAFF'S RECOMMENDATION**

Introduce the following ordinance:

(O-2016-22)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute a Schools Project for Utility Rate Reduction (SPURR) Master Confirmation Solar Power and Services Agreement with SunEdison Government Solutions, LLC, for that company to own, install, operate and maintain solar photovoltaic electric generating systems at 25 City Sites for a period of twenty years, and for the City to purchase the electricity from the solar power generating systems, on terms and conditions provided in the Agreement, together with any reasonably necessary modifications or amendments thereto which do not increase project scope or cost and which the Mayor shall deem necessary from time to time in order to carry out the purposes and intent of this Agreement;

Authorizing the Chief Financial Officer to expend funds required to be paid under the Solar Power and Services Agreement for electricity and environmental attributes furnished by SunEdison Government Solutions, LLC, at each of the 25 discrete City Sites, and more particularly in accordance with the Special Conditions applicable to each discrete City Site, subject to Section 3;

Declaring that subject to the conditions of this Section, the amounts authorized to be paid by Section 2 shall be construed to be reauthorized annually each fiscal year for a period of twenty years from the effective date of the Solar Power and Services Agreement; those conditions being that the payments shall be paid from the applicable annual City departmental energy budgets for each City Site for a total amount not exceed \$1.5 million annually; shall be contingent upon the adoption of the Fiscal Year 2017 Annual

Appropriation Ordinance and the Annual Appropriation Ordinance for each fiscal year thereafter; and shall be contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and City Comptroller, upon advice from the administering department, to transfer excess funds, if any, from the annual appropriation for any one City Site facility to any other City Site facility under the Agreement, or to the appropriate reserves.

**NOTE: 6 votes required pursuant to Section 99 of the City Charter.**

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

There is no capital cost to the City of San Diego for the installation of the solar photovoltaic generation systems at the identified City facilities. The estimated cost for procuring the electricity from San Diego Gas and Electric (SDG&E) over the 20 year term of this Agreement for the 25 City sites is estimated to be about \$48 million based on the current rate of escalation for electricity, while the estimated cost for an equivalent amount of electricity under this Solar Agreement is \$26 million. Based on this the total energy savings for the 20 year term will be approximately \$22 million, with savings beginning to accrue in Fiscal Year 2017 as each site is completed and brought on-line. In Fiscal Year 2018, the anticipated first full year of operation, the annual savings are expected to be about \$500,000, increasing to more than \$1.7 million by the end of the 20 year term. Should the City decide to either purchase the systems or renew the agreement at the end of 20 years, then greater savings would be realized.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

This Project was presented to the City Council at the June 10, 2015, "Adoption of the Fiscal Year 2016 Budget Hearing" for the Environmental Services Department.

This item was heard at the Infrastructure Committee meeting on October 21, 2015.

**ACTION:** Motion by Councilmember Zapf, second by Vice-Chair Cole, to recommend Council introduce the ordinance.

**VOTE:** 4-0; Kersey-yea, Zapf-yea, Cole-yea, Emerald-yea.

Greenhalgh/Gomez

Primary Contact\Phone: Lorie Cosio Azar\858-627-3352

Secondary Contact\Phone: Dave Weil\858-492-6001

City Attorney Contact: Ortlieb, Frederick M.

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS**  
**RESOLUTIONS:**

**This item may be taken in the morning session if time permits.**

ITEM-331: Status of the Utility Undergrounding Program and approval of new undergrounding projects.

**ITEM DESCRIPTION:**

This item presents the semi-annual report to City Council regarding the status of the Utilities Undergrounding Program. Along with the report, this item identifies a list of proposed Rule 20A Projects and Surcharge Projects. In addition, this item identifies revisions to the 2009 Master Plan to reflect the status of current projects.

**STAFF'S RECOMMENDATION:**

Adopt the following resolution:

(R-2016-183)

Accepting the report on the status of the City's Utility Undergrounding Program, including the status of all allocated underground conversion projects, program expenditures, and the underground conversion fund as provided by City staff, in accordance with Council Policy 600-08 (D)(3);

Approving the proposed revisions to the Underground Master Plan, in accordance with Council Policy 600-08 (D)(3);

Approving the list of proposed Surcharge Projects and California Public Utility Commission (CPUC) Rule 20A Projects, in accordance with Council Policy 600-08 (B)(3).

**STAFF SUPPORTING INFORMATION:**

**FISCAL CONSIDERATIONS:**

Today's action to approve a list of Surcharge Projects, once allocated, will increase future year expenditures by an estimated \$55,824,012. Costs are funded by San Diego Gas and Electric (SDG&E) surcharge revenue paid to the City and managed by the Transportation & Storm Water Department.

The list of Rule 20A Projects to be approved by today's action, once allocated, will increase future year expenditures by an estimated \$11,665,755. Costs are funded directly by SDG&E.

**PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:**

December 11, 2001: Approved the Memorandum of Understanding (MOU) with SDG&E to implement the Surcharge Program, established Council Policy 600-08 and Surcharge Fund.

November 27, 2006: Changed reporting periods for Master Plan approval to every five years.

April 20, 2010: Approved the 2009 Master Plan.

This item was heard at the Environment Committee meeting on October 7, 2015.

**ACTION:** Motion by Councilmember Gloria, second by Councilmember Cate, to recommend Council adopt the resolution.

**VOTE:** 3-0; Alvarez-yea, Gloria-yea, Cate-yea, Emerald-not present.

McFadden/Gomez

Primary Contact\Phone: Hasan Yousef\619-533-3012, MS 608

Secondary Contact\Phone: Jim Nabong\619-533-3721, MS 608

City Attorney Contact: Gerrity, Ryan P.

**PUBLIC NOTICES:**

Items are listed under Public Notice as a matter of public record only. These items do not require Council action and there is no public testimony.

ITEM-350: Submission of Ballot Proposals for the June 7, 2016 Ballot.

**SUBMISSION OF BALLOT PROPOSALS  
FOR THE JUNE 7, 2016 BALLOT**

City Council Policy 000-21 establishes the procedure for submittal of ballot proposals. The Council Policy states that members of the public shall submit proposals to the City Clerk, who shall then transmit them promptly to Committee for review and comment. The proposals must be submitted in time to allow the City Clerk to list on the Council Docket, prior to the election, the ballot proposals which have been referred to Council following Committee review.

Therefore, the City Clerk has established the following administrative guidelines for the June 7, 2016, election.

<u>DAY</u>	<u>DATE</u>	<u>DAYS BEFORE ELECTION</u>	<u>EVENT</u>
Tuesday	1/5/16	154	LAST DATE (5:00 p.m.) for public, departments and agencies to submit ballot proposals to City Clerk for review by Committee
Wednesday	1/13/16	146	Committee review
Monday	1/25/16	134	Council Docket (PUBLIC NOTICE) lists proposals referred by Committee
Monday	2/1/16	127	Council to discuss propositions and direct City Attorney to prepare ordinances placing measures on the ballot
Monday	2/22/16	106	Council adopts ordinances prepared by City Attorney
Friday	3/11/16	88	Last day for City Clerk to file with Registrar of Voters all elections material
Thursday	3/24/16	75	Last day to file ballot arguments with City Clerk

If you have questions, please contact the Office of the City Clerk at (619) 533-4000.

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT